

OFFICIAL COPY

Fresno, California

December 5, 2000

The City Council met in joint session with the Redevelopment Agency at the hour of 8:46 a.m. and later in regular session in the Council Chambers, City Hall, on the day above written.

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| Present: | Garry Bredefeld | Acting Council President |
| | Chris Mathys | Councilmember |
| | Henry Perea | Councilmember |
| | Sal Quintero | Councilmember |
| | Dan Ronquillo | Councilmember |
| | Ken Steitz | Councilmember |
| | Tom Boyajian | Council President |

Andy Souza, Interim City Manager
Hilda Cantu Montoy, City Attorney
Rebecca Klisch, City Clerk
Yolanda Salazar, Assistant City Clerk

(8:30 A.M.) JOINT MEETING WITH THE REDEVELOPMENT AGENCY

APPROVE AGENCY MINUTES OF NOVEMBER 14, 2000

On motion of Councilmember Perea, seconded by President Boyajian, duly carried, **RESOLVED**, the Agency minutes of November 14th approved as submitted.

(“A”) CONSIDER AUTHORIZING THE ISSUANCE OF TWO REQUESTS FOR QUALIFICATIONS (RFQ’S) FOR (1) A PROFESSIONAL ARCHITECTURAL DESIGN/ENGINEERING FIRM, AND (2) CONSULTING FIRM(S) TO PREPARE AN ENVIRONMENTAL IMPACT REPORT (EIR) AND ANY PLAN AMENDMENTS AS NEEDED, FOR THE DESIGN OF THE FULTON MALL

Redevelopment Administrator Murphey briefly reviewed the staff report as submitted, and along with Victoria Gonzales of the Downtown Association, responded to questions of Acting President Bredefeld relative to whether the EIR would include opening the mall to traffic and if that was supported by mall merchants.

Councilmember Steitz made a motion to approve staff’s recommendation, which was seconded and acted upon after discussion. Ms. Murphey responded to questions and/or comments of Councilmember Quintero, President Boyajian and Councilmember Ronquillo relative to whether costs would be included in the report, relocation of the artwork and keeping it downtown, setting up a contingency fund for unforeseen circumstances, installing fiber optic when streets are torn up to attract businesses and update the area, partial opening of the mall and alternatives being included in the EIR, keeping the serene north end of the mall closed to traffic, including a volunteer commercial expert in the design aspect, potential funding sources, and plans for the funds earmarked for Ventura/Kings Canyon improvements from First to Chestnut.

On motion of Councilmember Steitz, seconded by Councilmember Perea, duly carried, RESOLVED, the City Manager and Agency Executive Director authorized to issue Requests for Qualifications for: (1) a professional architectural urban planning & design/engineering firm for the design of the entire Fulton Mall, and (2) professional consulting firm(s) to prepare an environmental impact report and any plan amendments as needed, by the following vote:

| | | |
|--------|---|---|
| Ayes | : | Boyajian, Bredefeld, Mathys, Perea, Quintero, Steitz, Ronquillo |
| Noes | : | None |
| Absent | : | None |

(“B”) RECEIVE STATUS REPORT ON STREETScape AND PARKING PROGRAM FOR DOWNTOWN FRESNO AND GIVE DIRECTION TO STAFF

Redevelopment Administrator Murphey reviewed the staff report as submitted. Councilmember Perea thanked staff for the report and made a motion to approve staff’s recommendation, which was seconded and acted upon after discussion.

Ms. Murphey responded to questions and/or comments of Acting President Bredefeld, Councilmember Mathys, President Boyajian and Chair Ronquillo relative to issuing bonds, options for bonding to build parking structures, purchase of railroad property (parcel 6) and appraisal/price, number of parking spaces that would be generated with various sites, process from this point forward, total projected bonding amount, if the process would move forth simultaneously with the stadium project, partnering with the county, state and/or federal governments, cooperation of the Downtown Task Force, landscaping alleys for uniqueness and safety, and need to focus on open ground and readily available city or agency-owned property. Councilmember Steitz briefly left the meeting at 9:16 a.m.

On motion of Councilmember Perea, seconded by Acting President Bredefeld, duly carried, RESOLVED, Agency and City staff directed to return within sixty days with engineering bid-package-ready documents for funded projects, detailed cost estimates of the proposed improvements and a recommended project prioritization; Agency staff authorized to begin preliminary discussions with land owners of the priority parking areas and obtain necessary land appraisals and due diligence analysis; and Agency and City staff authorized to seek a financial bond analyst to begin preliminary discussions regarding a bond issuance against net annual parking revenues and assessment of bonding options, by the following vote:

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|--------|---|---|
| Ayes | : | Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo |
| Noes | : | None |
| Absent | : | Steitz |

(“C”) PRESENTATION BY PAUL FASULO OF GARDNYR MICHAEL CAPITAL LEASING, REGARDING A DOWNTOWN PARKING STRUCTURE - COUNCILMEMBER RONQUILLO

1. REQUEST CITY MANAGER TO DIRECT STAFF TO MEET WITH GARDNYR MICHAEL CAPITAL LEASING TO REVIEW THE PROPOSAL AND RETURN WITH STAFF REPORT AND RECOMMENDATION

Laid over one month.

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members present.

Executive Pastor Jim Corrao, Northside Christian Church, gave the invocation, and Acting President Bredefeld led the Pledge of Allegiance to the Flag.

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PROCLAMATION OF “FRESNO METROPOLITAN MINISTRY DAY”

PROCLAMATION OF “ANGEL TREE DAY” - COUNCILMEMBER MATHYS

PROCLAMATION OF “PEARL HARBOR SURVIVORS DAY” - PRESIDENT BOYAJIAN (2 - 0)

The above proclamations were read and presented.

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APPROVE MINUTES OF NOVEMBER 27, 28 AND 29, 2000

On motion of Councilmember Perea, seconded by Councilmember Quintero, duly carried, RESOLVED, the minutes of November 27, 28 and 29, 2000, approved as submitted.

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APPROVE AGENDA:

(5B) * BILL- AMENDING FRESNO MUNICIPAL CODE SECTIONS 9-407 AND 9-408 RELATING TO PRIVATE SOLID WASTE COLLECTION - COUNCILMEMBER STEITZ

Laid over one week at the direction of Councilmember Steitz.

REQUEST STAFF TO PROVIDE A REPORT ON THE AIRPORT CONSTRUCTION PROJECT - COUNCILMEMBER PEREA

Request made.

On motion of Councilmember Perea, seconded by Councilmember Ronquillo, duly carried, RESOLVED, the **AGENDA** hereby approved, by the following vote:

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| Ayes | : | Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz, Boyajian |
| Noes | : | None |
| Absent | : | None |

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ADOPT CONSENT CALENDAR:

(1A-1) * RESOLUTION NO. 2000-347 - 72ND AMENDMENT TO AAR 2000-183 APPROPRIATING \$190,000 FOR THE GRANTLAND BYPASS GRADE SEPARATION NEXUS FEE STUDY AND AUTHORIZING THE EXECUTION OF AN ENGINEERING SERVICE AGREEMENT WITH OMNI-MEANS, LTD.

a. AUTHORIZE THE PUBLIC WORKS DIRECTOR TO ENTER INTO AN ENGINEERING SERVICES AGREEMENT WITH OMNI-MEANS LTD. TO PREPARE A NEXUS STUDY

(1A-2) APPROVE CONTRACT CHANGE ORDER NO. 5 WITH FORD CONSTRUCTION, INC., FOR THE FRESNO YOSEMITE INTERNATIONAL AIRPORT AIRSIDE/LANDSIDE CONSTRUCTION PROJECT

a. RESOLUTION NO. 2000-348 - DECLARING AN URGENT NECESSITY FOR THE PRESERVATION OF LIFE, HEALTH, OR PROPERTY, WAIVING COMPETITIVE BIDDING REQUIREMENTS, AND AUTHORIZING THE PUBLIC WORKS DIRECTOR TO CONTRACT BY CHANGE ORDER FOR THE RESURFACING OF PORTIONS OF THE FYI AIRPORT TAXIWAY "ALPHA"

(1A-4) AWARD A CONTRACT TO EMPIRE EQUIPMENT COMPANY IN THE AMOUNT OF \$45,846.88 FOR ONE WATER WAGON CONVERSION

(1A-5) DETERMINING THAT NORIT AMERICAS IS NON-RESPONSIVE TO THE SPECIFICATIONS FOR SECTION III; AND AWARD A REQUIREMENTS CONTRACT TO CALGON CARBON WITH PROVISIONS FOR TWO ONE-YEAR EXTENSIONS IN THE ESTIMATED AMOUNT OF \$75,844.16 FOR GRANULAR ACTIVATED CARBON, BID SECTIONS I, II, IV AND V (THERE WAS NO BID FOR SECTION II AND THE WATER DIVISION WISHES TO DEFER REBIDDING OF THIS SECTION AT THIS TIME)

(1A-6) * RESOLUTION NO. 2000-349 - 6TH AMENDMENT TO SALARY RES. 2000-186 AMENDING THE SALARY RANGE OF THE CONVENTION CENTER OPERATIONS AND EVENTS SUPERVISOR

(1A-10) * RESOLUTION NO. 2000-351 - 67TH AMENDMENT TO AAR 2000-183 APPROPRIATING \$99,900 OF THE COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING (POST) FUNDS ALLOCATED FOR THE PURCHASE OF TRAINING SIMULATORS

(1A-11) APPROVE COMMERCIAL AVIATION PERMIT AUTHORIZING RUNWAY CATERING TO OPERATE AN INTO-PLANE CATERING BUSINESS AT FRESNO YOSEMITE INTERNATIONAL AIRPORT; AND AUTHORIZE THE DIRECTOR OF TRANSPORTATION TO EXECUTE SAME ON BEHALF OF THE CITY

On motion of Councilmember Ronquillo, seconded by Councilmember Perea, duly carried, RESOLVED, the above entitled **CONSENT CALENDAR** hereby adopted, by the following vote:

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| Ayes | : | Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz, Boyajian |
| Noes | : | None |
| Absent | : | None |

(1A-8) RESOLUTION NO. 2000-350 - INTENT TO ANNEX TRACT NOS. 4918 AND 4960 TO THE CITY OF FRESNO COMMUNITY FACILITIES DISTRICT NO. 1, ANNEXATION NO. 26, AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES; AND SETTING THE HEARING FOR JANUARY 9, 2001, AT 10:00 A.M.

On motion of Councilmember Ronquillo, seconded by Councilmember Perea, duly carried, RESOLVED, the above entitled Resolution No. 2000-350 hereby adopted, by the following vote:

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| Ayes | : | Bredefeld, Perea, Quintero, Ronquillo, Steitz, Boyajian |
| Noes | : | Mathys |
| Absent | : | None |

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(5A) DIRECT STAFF TO RETAIN CURRENT PROCESS REGARDING THE CITY-WIDE SPECIAL CHRISTMAS TREE PICKUP SERVICE - COUNCILMEMBER QUINTERO

Councilmember Quintero advised the City Manager was requesting the matter be held over to allow him to meet with staff and for staff to return with a report in one week. Upon question of Councilmember Mathys, Councilmember Quintero stated he wanted the city to continue to pick up trees placed on curbs as in the past and reiterated his concerns.

Interim Public Utilities Director McIntyre responded to questions of Councilmember Mathys with Councilmember Mathys stating he did not understand the request, clarified the previous requirement to cut up trees was still in place but residents were now being asked to place the cut-up trees in their green waste containers instead of placing them on curbs, pointed out staff already stated they would continue to pick up those trees placed on curbs and provide assistance to those who needed and requested it, and stressed \$25,000 would be saved if residents simply placed their trees in their containers as requested.

Interim City Manager Souza stated at issue was a cost-savings of \$25,000, noted the solid waste division was in the middle of huge changes, and requested direction to staff be delayed until Council received staff's comprehensive report on December 19th. Brief discussion ensued on difficulty with cutting up trees, how residents would know that trees left on curbs would still be picked up, need to be customer friendly, how, if a change in direction was made, to communicate that to customers, continuing to encourage recycling, and the notice sent out informing customers to call for assistance, with Mr. McIntyre responding to questions and comments. There was no further discussion.

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(1A-7) APPROVE MODIFICATION OF THE REAL ESTATE PURCHASE CONTRACT FOR PROPERTY AT THE SOUTHWEST CORNER OF HERNDON AND BRAWLEY AVENUES

Senior Real Estate Agent Balch responded to questions of Councilmember Perea relative to reason for the request to delay soil testing and why the issue needed Council approval.

On motion of Councilmember Perea, seconded by Councilmember Steitz, duly carried, RESOLVED, the modification to the Real Estate Purchase Contract and Receipt for Deposit to permit the soil and hazardous material process to be done later in the purchase process hereby approved, and the Public Works Director authorized to execute the modification on behalf of the city, by the following vote:

| | | |
|--------|---|---|
| Ayes | : | Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz, Boyajian |
| Noes | : | None |
| Absent | : | None |

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UNSCHEDULED ORAL COMMUNICATIONS:

APPEARANCE BY BARBARA HUNT RELATING TO (1) OPPOSITION TO THE REQUESTED SALARY INCREASE BY AGENCY DIRECTOR FITZPATRICK, AND (2) CONFLICT OF INTEREST BETWEEN THE AGENCY AND CITY COUNCIL

Appearance made.

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(10:00 A.M.) HEARING ON PLAN AMENDMENT NO. A-00-14, RELATED REZONING APPLICATION NO. R-00-32, AND ENVIRONMENTAL FINDINGS, FILED BY GARY WALKER ON BEHALF OF GENERAL LIFE, PROPERTY LOCATED ON THE SOUTH SIDE OF E. CORNELL EAST OF N. BLACKSTONE AVENUE
1. CONSIDER ENVIRONMENTAL ASSESSMENT/NEGATIVE DECLARATION NO. A-00-14, R-00-32, DATED OCTOBER 20, 2000
2. RESOLUTION NO. 2000-352 - AMENDING THE MCLANE COMMUNITY PLAN
3. BILL NO. B-79 - ORDINANCE NO. 2000-80 - AMENDING THE OFFICIAL ZONE MAP TO REZONE FROM R-1 TO P (OFF-STREET PARKING)

President Boyajian announced the time had arrived to consider the issue and opened the hearing. Planner Beedle briefly reviewed the staff report as submitted and a motion and second was made to approve staff's recommendation. Mr. Beedle, Development Director Yovino, and an unidentified gentleman representing the applicant responded to questions of Councilmember Perea relative to the prohibition of auto-related uses, how violations were dealt with and penalties, if revocation of special permits was an option in dealing with violators, and the proposed use and owner of the building.

Upon call, no one wished to be heard and President Boyajian closed the hearing.

On motion of Councilmember Perea, seconded by Councilmember Ronquillo, duly carried, RESOLVED, the finding of a Negative Declaration for Environmental Assessment No. A-00-14, R-00-32, issued on 10/20/00, hereby approved; the above entitled Resolution No. 2000-352 re-designating the subject property hereby adopted; and the above entitled Bill No. B-79 rezoning the subject property adopted as Ordinance No.2000-80, by the following vote:

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| Ayes | : | Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz, Boyajian |
| Noes | : | None |
| Absent | : | None |

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RECESS - 10:10 A.M. - 10:30 A.M.

(10:30 A.M.) CLOSED SESSION:

(A) CONFERENCE WITH LABOR NEGOTIATOR - GOVERNMENT CODE SECTION 54957.6: CITY NEGOTIATORS: JORGE AGUINIGA AND ANDREW SOUZA; EMPLOYEE ORGANIZATIONS:
I. FRESNO POLICE OFFICERS ASSOCIATION, NON-SUPERVISORY POLICE (FPOA); INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, LOCAL 753 FIRE NON-MANAGEMENT (IAFF); AND INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, LOCAL 753 FIRE MANAGEMENT (IAFF) - COUNCILMEMBER QUINTERO

2. AMALGAMATED TRANSIT UNION, LOCAL 1027 - COUNCILMEMBER PEREA (***REMOVED FROM THE AGENDA***)

(B) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (a) - CASE NAMES:

1. CHARON SINGH V. OFFICER ROBERT FORREST SEARS, ET AL.
2. TAMBRA PETRIE V. COF, ET AL.

(D) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (B) - SIGNIFICANT EXPOSURE TO LITIGATION:

1. COF V. U.S. ARMY CORPS OF ENGINEERS AND THE BOEING COMPANY, ET AL
2. BAKMAN WATER COMPANY, ET AL. V. COF, ET AL.

JOINT CLOSED SESSION WITH THE REDEVELOPMENT AGENCY:

(E) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (B) - SIGNIFICANT EXPOSURE TO LITIGATION:

1. DANIEL FITZPATRICK V. FRESNO REDEVELOPMENT AGENCY
2. CLAIMS OF BARBARA HUNT

The Council met in regular and joint closed session in Room 2125 at the hour of 10:30 a.m. to consider the above issues, except for **A-2**, and recessed thereafter.

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RECESS - 11:22 P.M. - 4:20 P.M. Councilmembers Ronquillo and Steitz arrived later.

(4:00 P.M.) CONSIDER APPROVAL FOR A COUNCIL OVERRIDE VOTE OF RESOLUTION NO. 2000-328 VETOED BY MAYOR PATTERSON ON NOVEMBER 27, 2000 - PRESIDENT BOYAJIAN AND COUNCILMEMBER PEREA

1. RESOLUTION NO. 2000-328 - 63RD AMENDMENT TO AAR 2000-183 APPROPRIATING FUND TOTALING \$112,000 TO PAY FOR INSTALLATION COSTS OF \$99,100 AND SERVICE CHARGES TOTALING \$13,000 RELATIVE TO THE COMMUNICATIONS SERVICES CONTRACT WITH PACIFIC BELL

President Boyajian advised Councilmember Ronquillo recused himself due to a potential conflict of interest.

On motion of Councilmember Perea, seconded by Acting President Bredefeld, duly carried, **RESOLVED**, the Mayoral veto of Resolution No. 2000-328 hereby overridden, and adoption of Resolution No. 2000-328 reaffirmed, by the following vote:

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| Ayes | : | Bredefeld, Mathys, Perea, Quintero, Boyajian |
| Noes | : | None |
| Absent | : | Ronquillo, Steitz |

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(10:30 A.M.) CLOSED SESSION:

(C) CONFERENCE WITH LEGAL COUNSEL - DECIDING WHETHER TO INITIATE LITIGATION - GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (c) - CASE NAME: COF V. COUNTY OF FRESNO, CITY OF CLOVIS, ET AL

The Council met in closed session in Room 2125 at the hour of 4:25 p.m. to consider the above issue.

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(4:45 P.M.) CHRISTMAS TREE LIGHTING CEREMONY

Held.

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(5:00 P.M.) CONTINUED HEARING ON PLAN AMENDMENT NO. A-00-03, REZONING APPLICATION NO. R-00-04 AND ENVIRONMENTAL ASSESSMENT NO. A-00-03, R-00-04, C-00-60, FILED BY GEORGE BEAL, PROPERTY LOCATED ON THE SOUTHWEST CORNER OF N. MAPLE AND E. SHEPHERD AVENUES
1. CONSIDER ENVIRONMENTAL ASSESSMENT/MITIGATED NEGATIVE DECLARATION NO. A-00-03, R-00-04, C-00-60, DATED MAY 1, 2000
2. RESOLUTION NO. 2000-353 - DENYING THE AMENDMENT TO THE WOODWARD PARK COMMUNITY PLAN (PLANNING COMMISSION RECOMMENDATION)
3. RESOLUTION - AMENDING THE WOODWARD PARK COMMUNITY PLAN (APPLICANT REQUEST)
4. BILL - AMENDING THE OFFICIAL ZONE MAP TO REZONE FROM AE-20/UGM TO C-1/UGM

President Boyajian announced the time had arrived to consider the issue and opened the hearing.

Planning Manager Haro reviewed the staff report as submitted; clarified the CUP was not before Council this date but would come back later if the project were to be approved; reviewed specifics of project including the site, surrounding areas and area neighborhood commercial using maps to illustrate; advised the project did not meet two requirements of the Woodward Park Community Plan and explained **(3 - 0)**; and stated the proposed site was not the right one for a stand-alone convenience store and recommended Council deny the plan amendment and rezone application. Councilmember Perea questioned why staff felt it was inappropriate to have a business selling alcohol near a park and if different standards were being applied here noting it was not unusual to find this city-wide, with Mr. Haro responding. A video tape was played showing the site and surrounding area and uses.

Speaking on behalf of Beal Properties were: Jim Logan, Sal Blanco and George Beal, Applicant, who reviewed and spoke in support of their project; addressed staff's findings, recommendations, neighborhood concerns, and land use issues; advised how the project would improve the area; and explained what Johnny Quik Food Stores were and how and what they contributed to the community, and urged approval emphasizing they would be a good neighbor and continue to work with the neighborhood.

Speaking in opposition to the project were: Matt Mizuhara, 8975 N. Woodrow **(4 - 0)**; Erin Cheney, 862 E. Bedford; Laura Cheney, 862 E. Bedford; Don Rhoads, 8778 N. Woodrow; Linda Friend, 8828 N. Meridian; Michael Friend, 8828 N. Meridian; and Jerry Schacher, 9060 N. Price.

Speaking in support of Beal Properties and/or the project were: Jeff Keast, 225 W. Shaw; Bryan Wright, 6522 N. State; and Dennis Filgas, 5745 E. Park Circle Dr.

Continued speakers were: Carla Hawks, 1868 E. Everglade, opposed; Dr. L. Dean Lowe, 1824 E. Ryan, opposed; Alexis Hawks, 1868 E. Everglade, opposed; David Horsman, 6660 W. Shields, support; Dick Boranian, 10431 N. Willow Ridge Ct., opposed; Patty Ford, 8561 N. Meridian, opposed; Nancy Schacher, 9060 N. Rice Ct., opposed; Monica Temy, 274 W. Nees, support; Richard Arndt, 480 E. Cole, opposed; Tony Dela Torre, 154 E. Goshen, opposed; Alice Mathes, 3545 E. Ashlan, support (5 - 0); Maggie Harper, 2206 E. Lester, opposed; Barrett Bryant, 2038 E. Lester, opposed; Vince Correll, 840 E. Cole, opposed; John Loewen, 1859 E. Serena, opposed; Christine Edmundson, 2208 E. Cole, opposed; Barbara Wondergem, 4110 E. Jensen, support; and Lewis Liulamaga, 1814 E. Shea, opposed.

Upon call, no one else wished to be heard and President Boyajian closed the public hearing.

Mr. Haro, Police Officer Myers (who deals with alcohol and beverage control) and Mr. Beal responded to questions of Acting President Bredefeld relative to staff's reasons for recommending denial, the same project being denied in 1994, number of times Council approved a project when both staff and the Planning Commission recommended denial, if convenience stores generated more calls for police service, and the numbers presented by the applicant relative to calls for service and source. Acting President Bredefeld read a portion of the 1994 minutes relative to reasons the project was denied and stated nothing had changed since then; emphasized it was very clear a majority of the neighborhoods were opposed to the project citing attendance and correspondence; clarified this was about being pro-neighborhoods, pro-people and good planning and was not about Johnny Quik being a good corporate citizen; expressed concern that some councilmembers were supporting the project for reasons that were not right; and stated he hoped Council would listen to the people and made a motion to deny the project, which was later seconded and acted upon.

Officer Myers and Development Director Yovino responded to questions of Councilmember Perea relative to whether an over-abundance of liquor licenses in the area was an issue, the process of granting liquor licenses and if it had changed, staff's reasoning in requesting the existing zoning be retained, and the argument of selling alcohol near parks being one of the weaker arguments for denial. Councilmember Perea stated the city was not treated fairly and he did not like seeing one part being treated different from others, and stated land use criteria near schools and parks was needed and advised staff had given direction on that issue previously and it would be included in the new general plan.

Mr. Yovino, Senior Traffic Engineering Technician Madewell, Mr. Beal, City Attorney Montoy and Mr. Haro responded to questions of President Boyajian and Councilmembers Steitz and Quintero relative to when the streets in the subject area would be developed, if traffic signals would be installed, timeline for installation of signals at intersections in central west Fresno, development at the four corners of Maple and Shepherd, type of development projected for the southwest corner if this project were not approved, traffic impacts with the project and why no EIR was conducted, proposed hours of operation for the convenience store (6 - 0); the environmental checklist, the Woodward Park Homeowners Association's comments that an EIR was required, how the proposal got to Council level if not enough information had been presented for approval, reason for the October request by the applicant for a delay, what additional information would be required in order to approve the project, and if the applicant would support a delay to conduct a staff and CEQA analysis.

On motion of Acting President Bredefeld, seconded by Councilmember Perea, duly carried, RESOLVED, the finding of a Mitigated Negative Declaration for Environmental Assessment No. A-00-03, R-00-04, C-00-60, dated May 1, 2000, hereby denied; the above entitled Resolution No. 2000-353 denying Plan Amendment No. A-00-03 as recommended by the Planning Commission hereby adopted; and Rezoning Application No. R-00-04 hereby denied, by the following vote:

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| Ayes | : | Bredefeld, Perea, Quintero, Ronquillo, Boyajian |
| Noes | : | Mathys, Steitz |
| Absent | : | None |

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ADJOURNMENT

There being no further business to bring before the Council, the hour of 8:16 p.m. having arrived and hearing no objections, President Boyajian declared the meeting adjourned.

APPROVED on the 12th day of December, 2000.

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| _____ | ATTEST:_____ |
| Tom Boyajian, Council President | Yolanda Salazar, Assistant City Clerk |